

REMARKS

Claims 2, 3, 5, 6 and 8-18 are pending in the present application. Claims 6, 8, 9 and 13-18 have been withdrawn. Claim 1 is herein cancelled. Claims 2, 3 and 5 are herein amended. No new matter has been added.

Specification

The Abstract of the disclosure was objected to in the outstanding Office Action.

The Abstract is herein presented. Applicants respectfully request that the objection be reconsidered and withdrawn.

Claim Rejections - 35 U.S.C. §112

Claims 1-3, 5 and 10-12 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite and claims 1-3, 5 and 10-12 were rejected under 35 U.S.C. §112, first paragraph, for nonenablement. Applicants respectfully traverse these rejections.

The Examiner acknowledges that “the claims are directed to a film with a surface roughness of ‘5 μm to 50 μm ”, but asserts that the application fails to describe how said surface roughness is measured. See Office Action dated December 21, 2009, pages 2 and 3.

The surface roughness of 5 μm to 50 μm feature of the presently claimed composition means a maximum profile valley depth (R_m) (ISO 4287). This expression method is an indication method of traditional roughness profile. Applicants respectfully assert that one of ordinary skill in the art would understand the presently claimed composition and this expression method for the surface roughness feature.

Applicants used an electron microscope to observe the state of the surface achieved by chemical etching. Applicants considered the results of this observation and measured the results with a surface roughness tester and determined a numerical value range for the surface roughness feature. Applicants recite this range in their claims to define the scope of their presently claimed composition.

In the presently claimed invention, the numerical value range of 5 μm to 50 μm is a feature of the claimed subject matter. Applicants acknowledge that it may be difficult to define the surface state technically and thus there is not a further meaning provided. Applicants assert that a skilled artisan would understand the scope of the presently claimed invention as currently presented. Moreover, Applicants assert that a skilled artisan would focus more upon the feature of “fine recesses or projections of 0.01 μm to 0.1 μm in diameter on said surface”, as recited in claim 2 of the present application. The feature fine recesses or projections of 0.01 μm to 0.1 μm in diameter on said surface is a novel and unobvious feature of the presently claimed invention.

In the outstanding Office Action, the Examiner asserts that “similarly, applicant claims the surface should have ‘fine recesses or projections of not larger than 1 μm ’ or ‘of 0.01 μm to 0.1 μm in diameter’ on the surface. It is not clear how the skilled artisan would go about determining the size of recesses or projection by some undetermined process.” See Office Action dated December 21, 2009, page 3.

According to the present specification, the aluminum alloy surface was observed by using a scanning electron microscope (SEM) S-4700 (available from Hitachi, Ltd.). A photograph of

the aluminum alloy surface is shown in Fig. 1. Fig. 2 shows the conditions of recesses on the aluminum alloy surface observed from the photograph of Fig. 1 and also shows the diameters of the recesses measured by drawing lines along the contours of the recesses. It was observed that there were 3 recesses of 0.03 to 0.1 μm in diameter and 15 to 20 recesses of 0.01 to 0.03 μm in diameter per 0.25 μm square area of the surface on the average. The densities of such recesses were substantially the same at different positions of observation. See present specification, page 27 lines 16-28; See also present specification, Figures 1 and 2.

In brief, the aluminum alloy surface was observed by using a scanning electron microscope (SEM). The diameter of fine recesses or projections were determined with an aid, such as the photograph in Fig 1 of the present specification. This observation feature is herein incorporated into claim 2 of the present application.

For at least the foregoing reasons, the claimed invention defines patentable subject matter. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned attorney.

Application No.: 10/534,228
Art Unit: 1794

Amendment under 37 C.F.R §1.111
Attorney Docket No.: 052528

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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